



Legislative Update March 2005

ITEM 2
DRAFT

Included in this item is a discussion of higher education legislative initiatives that impact either the Commission itself or policy positions taken by the Commission. Also included is a matrix of all bills being followed by Commission staff as well as an updated membership list of the policy and fiscal committees that will consider higher education issues.

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The Commission advises the Governor and Legislature on higher education policy and fiscal issues. Its primary focus is to ensure that the state's educational resources are used effectively to provide Californians with postsecondary education opportunities. More information about the Commission is available at www.cpec.ca.gov.

Introduction of Legislation

Below is a summary of legislation by subject area that directly impacts Commission policies and/or its operations.

Accountability

Two bills, AB 196 and SB 871, would create higher education accountability frameworks and designate CPEC as the agency responsible for implementing and maintaining a comprehensive accountability structure.

AB 196 (Liu) would do the following:

- Repeal the existing higher education accountability program and establish a new framework that would assess progress toward meeting the goals of educational opportunity, preparation, student success, public benefits, and cost-effectiveness;
- Require CPEC to submit a biennial accountability report on the implementation of performance standards and the achievement of accountability goals.

SB 871 (Scott) would reintroduce the language from SB 1331 that was passed by the Legislature but vetoed by the Governor. It articulates a set of accountability principles and creates an accountability structure that would be implemented by CPEC.

The language is intended as a starting point for the discussion and development of a comprehensive accountability framework.

CPEC Administration/ Reorganization

Two bills, SB 445 and AB 1072, would reconstitute CPEC as a new organization while maintaining its core functions.

SB 445 (Ducheny) includes the following changes:

- Establishes the Commission on Statewide Postsecondary Education Policy and Planning as the successor agency to CPEC;
- Directs the Commission to develop a statewide policy agenda based on a set of enumerated public policy goals for higher education; and
- Defines the functions and responsibilities of the Commission including:
 - Maintaining a statewide accountability structure;
 - Maintaining a longitudinal student tracking system with a unique identifier;
 - Reviewing changes in eligibility pools; and
 - Administering federal programs as necessary
- Specifies Commission membership while maintaining a Statutory Advisory Committee and requiring that the Executive Director be confirmed by the Senate;
- Implements the proposed changes beginning January 1, 2006, to be completed by December 16, 2006.

AB 1072 (Liu) would do the following:

- Consolidate the degree program approval responsibilities of the Bureau for Private Postsecondary and Vocational Education and the responsibilities of CPEC into a new Office of the Secretary for Higher Education appointed by the Governor and approved by the Senate;
- Maintain current CPEC functions while adding responsibility for maintaining an accountability framework and approving and regulating private degree-granting postsecondary institutions;
- Provide for the transfer of all affected civil service employees to the new office by July 1, 2006.

Student Fees and Financial Aid

Student Fees

AB 870 (Bermudez) would:

- Cap system wide fee increases at CSU and UC at 2% above the previous year's level unless at least one-third of the revenue from greater fee increases is used to fund student financial aid programs.

AB 473 (Liu) would make a number of changes to the setting and adjusting of community college fees including:

- Designating the Community College Board of Governors as the entity responsible for setting system wide mandatory fees beginning in the 2006-2007 academic year;
- Charging the Board of Governors, in consultation with students, with developing a methodology for annually adjusting system wide fees;
- Stipulating that it is the intent of the Legislature that fee increases be gradual, predictable, and moderate, and not exceed 10 percent in any academic year;
- Permitting community college districts to charge enrollment fees beyond the level mandated by the Board of Governors.

AB 1350 (Cogdill) would:

- Change current law to stipulate that students who participate in dual enrollment programs between UC and CSU and the community colleges would no longer be required to demonstrate financial need to be eligible for the waiver of community college fees.

Financial Aid

AB 358 (Liu) would propose changes to the Cal Grant programs including:

- Expressing legislative intent that the maximum grant for students attending independent institutions be set and adjusted based on the general fund costs of educating students at the four-year public institutions;
- “Front-loading” the programs by requiring that first time Cal grant B recipients be eligible for payment of tuition and fees while fourth year students, who are currently eligible for such payments, would become ineligible.

AB 700 (Horton) would modify Cal Grant eligibility requirements by:

- No longer requiring that recipients of Cal Grant A and B entitlement awards be recent high school graduates;
- Deleting the requirement that the recipient not be “independent” according to the federal definition of dependency.

AB 1241 (Matthews) would:

- Require that high schools report GPA information for those students potentially eligible for a Cal Grant to the Student Aid Commission.

SB 531 (Ortiz) would require that when considering funding levels for Cal Grants:

- The Governor’s Budget takes into consideration any increases in tuition and fees at California colleges and universities. Current law requires only that federal grant funds be considered.

AB 1399 (Garcia) would:

- Express the intent of the legislature that any child of a member of the armed forces or of a member of the National Guard, who serves at any time between September 11, 2001, and the end of the conflict in Iraq, is eligible to receive a Cal Grant award.

AB 1315 (Liu) expresses the intent of the Legislature to:

- Establish a pilot program that enables a city to assist community college students to obtain grants of up to \$1,000 for the purchase of textbooks and other course-related instructional materials.
- Creates a program oversight committee that recommends funding requirements, submits findings, and recommendations after the pilot program has operated at least two years.

Community College Finance

AB 23 (Liu) would fundamentally change the structure of community college finance by:

- Defining the mission of the California Community Colleges as undergraduate education and transfer, workforce training, and adult literacy, and requiring that funding priority be given to courses and services that are directly responsive to these priorities;
- Replacing the current program-based funding for community college districts with a base allocation followed by an equalization rate for all credit and non-credit FTE's.

AB 318 (Dymally) would require that when calculating the enrollment growth rate at community colleges, the Chancellors office must:

- Increase the growth rate otherwise granted to a district by the amount of FTE served in excess of 102% of the state-supported level of FTES for the preceding three fiscal years;
- Be prohibited from increasing enrollment growth rate by more than 8% annually.

SB 361 (Scott) would express the intent of the legislature to enact legislation that would address the method by which the community college districts receive growth allocation.

Transfer

SB 652 (Scott) would request the University of California to establish a systemwide lower division transfer curriculum for high demand baccalaureate degree programs on or before June 1, 2006. The transfer curriculum would include the following elements:

- Develop a 45 semester (or equivalent quarter) unit transfer curriculum common to all UC campuses offering specific major programs;
- Identify additional non-elective course requirements up to a maximum of 60 semester units;
- Be sufficiently specific to permit articulation of existing and future community college courses;

- Develop a transfer agreement for each student based on these requirements that guarantees admission to the campus and major identified in the agreement.

CSU Doctoral Degrees

SB 724 (Scott) Current law permits the awarding of doctoral degrees at CSU only in a joint program with UC that has been approved by CPEC. This bill would authorize CSU to independently award professional/clinical doctoral degrees without the approval of CPEC provided that:

- The degree is part of a post-masters program that prepares students for entry to professional practice other than university faculty research and teaching.

Education and Workforce Issues

AB 401 (Goldberg) would establish the Education and Workforce Council to be chaired by the Superintendent of Public Instruction. The Council would:

- Develop a vision, goals, and strategies to ensure that the state's education system produces the workforce needed for economic development;
- Develop a workforce preparation and strategic plan by December 31, 2006, using a broad-based collaborative planning process, economic and labor market analyses, and best practices from other workforce development systems;
- Provide policy guidance to the Governor and Legislature and recommend to the Governor which workforce investment activities should be funded under the federal Workforce Investment Act.

SB 847 (Ducheny) would create the Council on Education, Workforce, and the Economy. The Council would:

- Advise the Governor, the State Board of Education, The Board of Governors of the Community Colleges, the CSU Trustees and the UC Regents on goals and strategies to align the education and workforce preparation systems to the needs of the economy.

The attached Matrix includes other bills being watched by Commission staff and a listing of placeholder bills for higher education.

Bill Number	Author	Subject	CPEC Position	Policy Committee	Fiscal Committee	Floor Action	Policy Committee	Fiscal Committee	Floor Action	COMMENTS
Accountability										
*AB 196	Liu	Postsecondary education: accountability	Watch							Referred to Com on Higher Ed.
*SB 871	Scott	Postsecondary education: accountability	Watch							May be acted upon on or after March 25.
CPEC Administration / Reorganization										
*SB 445	Ducheny	Restructure of CPEC	Watch							Referred to Com on Ed.
*AB 1072	Liu	PEC: Office of the Secretary for Higher Education.	Watch							May be heard in committee March 26.
Fees and Financial Aid										
Student Fees										
AB 870	Bermudez	Limiting mandatory systemwide fee increases.	Watch							Referred to Com on Higher Ed.
AB 473	Liu	Community colleges: student fees	Watch							Referred to Com on Higher Ed.
AB 1350	Cogdill	Dual admissions fee waiver.	Watch							May be heard in committee March 27.
AB 982	Laird	Community college fees.	Watch							Referred to Com on Higher Ed.
AB 933	Emmerson	Public Postsec. Ed. Statewide student fee policy.	Watch							Referred to Com. on Higher Ed.

Bill Number	Author	Subject	CPEC Position	Policy Committee	Fiscal Committee	Floor Action	Policy Committee	Fiscal Committee	Floor Action	COMMENTS
Financial Aid										
AB 358	Liu	Student financial aid: Cal Grant Program	Watch							Referred to Com on Higher Ed.
AB 700	Horton, Jerome	Student financial aid: Cal Grant Program	Watch							Referred to Com on Higher Ed.
AB 1241	Matthews	Student Aid Commission: reports from high schools	Watch							May be heard in committee March 25.
SB 531	Ortiz	Student financial aid: Cal Grant Program.	Watch							Referred to Com. on Ed.
AB 1399	Garcia	Cal grant elig. children of active duty military.	Watch							May be heard in committee March 27.
AB 1315	Liu	CCC: textbook supplemental grant pilot program.	Watch							May be heard in committee March 25.
AB 931	Emerson	Student financial aid: Cal Grant Program	Watch							May be heard in committee March 22.
AB 1436	Baca	Cal Grant Entitlement Awards	Watch							May be heard in committee March 27.
Community College Finance										
AB 23	Liu	Community college finance: funding priorities	Watch							Referred to Com on Higher Ed.
AB 318	Dymally	Community colleges: funding	Watch							Referred to Com on Higher Ed.

California Postsecondary Education Commission

Bill Number	Author	Subject	CPEC Position	Policy Committee	Fiscal Committee	Floor Action	Policy Committee	Fiscal Committee	Floor Action	COMMENTS
AB 317	Dymally	Community college finance	Watch							Referred to Com on Higher Ed.
SB 361	Scott	CC: growth allocations for community college.	Watch							Referred to Com on Rules.
SB 1402	Blakeslee	Community colleges: property tax revenues.	Watch							May be heard in committee March 26.
Transfer										
SB 652	Scott	Public postsec. ed: transfer CCC to UC	Watch							Referred to Com on Ed.
Master Plan -- Doctoral Degrees										
SB 724	Scott	CSU: doctoral degrees.	Watch							May be acted upon on or after March 25.
Education and Workforce Issues										
AB 401	Goldberg	Creates Education & Workforce Council	Watch							May be heard in committee March 18.
SB 847	Ducheny	Creates Council, Education, Workforce, & Economy.	Watch							May be acted upon on or after March 27.
Space Utilization										
*ACR 34	Liu	Public Higher Education Facilities	Watch							Introduced March 3, 2005

Bill Number	Author	Subject	CPEC Position	Policy Committee	Fiscal Committee	Floor Action	Policy Committee	Fiscal Committee	Floor Action	COMMENTS
Other Bills										
*AB 110	Ruskin	Public education: reporting requirements	Watch							Referred to Com on Ed and Higher Ed.
*AB 277	Mountjoy	Open meetings: closed sessions	Watch							Referred to Com on GO. and P.E.,R. & S.S.
AB 232	Arambula	Community colleges: registered nursing programs	Watch							Referred to Com on Jud.
AB 39	Walters	Charter schools: alternative authority.	Watch							Referred to Com. on ED. and Higher Ed.
AB 58	Nunez	Kindergarten-University Education Facilities Bond Act	Watch							Referred to Com on Ed and Higher Ed.
AB 593	Frommer	CA Hope Endowment	Watch							Referred to Com. on B. & P. and Higher Ed.
AB 840	Arambula	Private postsecondary education: accreditation.	Watch							Referred to Com on Higher Ed.
AB 918	Wyland	CSU: recognition of career technical education courses.	Watch							Referred to Com on Higher Ed.
SB 5	Morrow	Postsecondary education Student Bill of Rights.	Watch							Referred to Com on Ed.
SB 13	Bowen	Personal Information.	Watch							Referred to Com on Jud.
SB 407	Margett	Corp.Taxes: Contributions: Postsec. Ed. Trust Fund.	Watch							Referred to Com on Rev. & Tax.

California Postsecondary Education Commission

Bill Number	Author	Subject	CPEC Position	Policy Committee	Fiscal Committee	Floor Action	Policy Committee	Fiscal Committee	Floor Action	COMMENTS
SB 635	Alarcon	Public postsecondary ed: education empowerment	Watch							May be acted upon on or after March 27.
SB 918	Speier	Public postsecondary ed: acad. stds HS prep apps. to CSU / UC	Watch							May be acted upon on or after March 27.
SCR 31	Simitian	Joint Committee on the Master Plan for Education	Watch							Sen. Rules.
Spot Bills										
AB 1366	Lieber	Community colleges: fiscal accountability	Watch							May be heard in committee March 27.
AB 1646	Committee on Higher Ed.	CCC: funding--technical change vehicle.	Watch							May be heard in committee March 26.
SB 1080	Campbell	University of California	Watch							May be acted upon on or after March 27.
SB 818	Perata	Student Aid Commission	Watch							May be acted upon on or after March 25.
SB 819	Perata	Postsecondary education: CPEC	Watch							May be acted upon on or after March 25.
SB 964	Scott	Career technical education: curricula.	Watch							May be acted upon on or after March 27.
X - Action Taken H - Held in Committee P - Pending Consideration F - Failed Passage * - CPEC Involvement										

Committee Membership

Listed below are the members of the legislative policy and fiscal committees for higher education. Membership is effective for the 2005-06 legislative session starting on January 1, 2005.

Senate Appropriations Committee

Carole Migden, Chair (D)
 Samuel Aanestad, Vice Chair (R)
 Elaine Alquist (D)
 Roy Asburn (R)
 Jim Battin (R)
 Debra Bowen (D)
 Robert Dutton (R)
 Martha Escutia (D)
 Dean Florez (D)
 Kevin Murray (D)
 Deborah Ortiz (D)
 Charles Poochigian (R)
 Jackie Speier (D)

Senate Budget and Fiscal Review Committee

Wesley Chesbro, Chair (D)
 Dennis Hollingsworth, Vice Chair (R)
 John Campbell (R)
 Denise Ducheny (D)
 Joseph Dunn (D)
 Robert Dutton (R)
 Christine Kehoe (D)
 Sheila Kuehl (D)
 Alan Lowenthal (D)
 Michael Machado (D)
 Bob Margett (R)
 Tom McClintock (R)
 Gloria Romero (D)
 George Runner (R)
 Jack Scott (D)
 Joe Simitian (D)
 Tom Torlakson (D)

Senate Budget and Fiscal Review Subcommittee No. 1 on Education

Jack Scott, Chair (D)
 Bob Margett (R)

Joe Simitian (D)

Senate Education Committee

Jack Scott, Chair (D)
 Abel Maldonado, Vice Chair (R)
 Elaine Alquist (D)
 Jeff Denham (R)
 Robert Dutton (R)
 Alan Lowenthal (D)
 Bill Morrow (R)
 Gloria Romero (D)
 Jose Simitian (D)
 Nell Soto (D)
 Jackie Speier (D)
 Tom Torlakson (D)

Senate Select Committee on College and University Admissions and Outreach

Richard Alarcon, Chair (D)
 Gilbert Cedillo (D)
 Wesley Chesbro (D)
 Jeff Denham (R)
 Abel Maldonado (R)
 Jack Scott (D)
 Edward Vincent (D)

Assembly Appropriations Committee

Judy Chu, Chair (D)
 Sharon Runner, Vice Chair (R)
 Karen Bass (D)
 Patty Berg (D)
 Ronald S. Calderon (D)
 Bill Emmerson (R)
 Mike Gordon (D)
 Ray Haynes (R)
 Betty Karnette (D)
 Johan Klehs (D)
 Mark Leno (D)
 Alan Nakanishi (R)
 Joe Nation (D)

Jenny Oropeza (D)
Mark Ridley-Thomas (D)
Lori Saldaña (D)
Mimi Walters (R)
Leland Yee (D)

Assembly Committee on Budget

John Laird, Chair (D)
Rick Keene, Vice Chair (R)
Juan Arambula (D)
John J. Benoit (R)
Rudy Bermúdez (D)
Sam Blakeslee (R)
Wilma Chan (D)
Dave Cogdill (R)
Joe Coto (D)
Lynn Daucher (R)
Hector De La Torre (D)
Chuck DeVore (R)
Mervyn M. Dymally (D)
Noreen Evans (D)
Jackie Goldberg (D)
Loni Hancock (D)
Bob Huff (R)
Cindy Montañez (D)
Gene Mullin (D)
Pedro Nava (D)
Nicole Parra (D)
Fran Pavley (D)
George A. Plescia (R)
Michael N. Villines (R)
Lois Wolk (D)

Assembly Budget Subcommittee #2 on Education Finance

Mervyn M. Dymally, Chair (D)
Wilma Chan (D)
Joe Coto (D)
Lynn Daucher (R)
Jackie Goldberg (D)
Bob Huff (R)

Assembly Education Committee

Jackie Goldberg, Chair (D)
Mark Wyland, Vice Chair (R)
Juan Arambula (D)

Joe Coto (D)
Loni Hancock (D)
Bob Huff (R)
Carol Liu (D)
Gene Mullin (D)
Fran Pavley (D)
Keith Richman (R)
Tom Umberg (D)

Assembly Higher Education Committee

Carol Liu, (Chair) (D)
Tim Leslie, Vice Chair (R)
Karen Bass (D)
Shirley Horton (R)
Barbara S. Matthews (D)
Pedro Nava (D)
Ira Ruskin (D)

JOINT COMMITTEES

Joint Legislative Budget Committee

Sen. Wesley Chesbro, Chair (D)
Asm. John Laird, Vice Chair (D)
Sen. Jim Battin (R)
Sen. Denise Ducheny (D)
Sen. Joseph Dunn (D)
Sen. Dennis Hollingsworth (R)
Sen. Tom McClintock (R)
Sen. Carole Migden (D)
Sen. Jack Scott (D)
Asm. Judy Chu, (D)
Asm. Hector De La Torre (D)
Asm. Jackie Goldberg, (D)
Asm. Rick Keene (R)
Asm. Kevin McCarthy (R)
Asm. Pedro Nava (D)
Asm. Sharon Runner (R)

Joint Committee on Boards, Commissions and Consumer Protection

Sen. Liz Figueroa, Chair (D)
Sen. Samuel Aanestad (R)
Sen. Edward Vincent (D)
Asm. Gloria Negrete McLeod (D)
Asm. Paul Koretz (D)
Asm. Todd Spitzer (R)